

STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES

In Re: Kevin Hall, H.C.  
License No. 34202  
12 Briarwood Drive  
Quaker Hill, CT 06375

Petition No. 881013-20-026

MEMORANDUM OF DECISION

PROCEDURAL BACKGROUND

The Connecticut Board of Examiners for Barbers, Hairdressers and Cosmeticians was presented with a Statement of Charges by the Department of Health Services dated January 29, 1989 brought against Kevin Hall (Respondent). The Statement of Charges alleged, in one count, violations of Connecticut General Statutes §20-263.

The Notice of Hearing and Statement of Charges were issued to the Respondent. (Dept.'s Ex. 1) The hearing was scheduled and held on March 27, 1989. The Department presented its entire case after which the hearing was closed; the Respondent then appeared unrepresented and the Board reopened the case to provide the Respondent the opportunity to present his defense. (Tr. 3/27/91 p. 17) The Department alleged the Respondent had agreed via Consent Order but had failed to complete 40 hours of

continuing education. The Respondent eventually claimed that he had completed the classes. (Tr. 3/27/89 p. 21-22) Thereafter he was given the opportunity to return on June 12, 1989 with written evidence to demonstrate that claim. The Respondent did not appear on June 12, 1989 and no documentation was received from him. (Tr. 6/12/89)

The Respondent was given the opportunity to show compliance with all lawful requirements for the retention of his license pursuant to Connecticut General Statutes §4-182(c) via the hearing process.

Each member of the Board involved in this decision attests that he/she reviewed the record of this proceeding and/or was present at the hearing and that this decision is based entirely on the record, and their professional knowledge.

This Memorandum of Decision sets forth the Boards findings of fact, conclusions of law, and order.

#### FINDINGS OF FACT

After consideration of the entire record, the findings of fact are the following:

1. The Respondent Kevin Hall was the holder of hairdressing and cosmetician License No. 34202 and he held that license at all times relevant to the Statement of Charges. (Tr. 3/27/89 p. 21, Dept. Ex. 2)
2. Kevin Hall voluntarily signed and entered into a valid Consent Order with the Department of Health Services which was ordered and accepted by the Board of Examiners for Barbers, Hairdressers and Cosmeticians on April 14, 1986. (Dept. Ex. 3)
3. The copy of the aforementioned Consent Order was sent to and received by his attorney on or about April 16, 1986. (Dept. Ex. 6 and 7)
4. A part of that Consent Order, copy attached and incorporated herein states, the following:

NOW THEREFORE, pursuant to §19a-17 and §20-263 of the General Statutes of Connecticut, as amended, Kevin Hall hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter.
2. That his Connecticut hairdressing and cosmetology license number 34202 is hereby suspended for one year.

3. That the one year suspension is stayed immediately and he is placed on probation for one year subject to the following terms and conditions:
  - a. That within said one year probation he will enroll and successfully complete forty (40) hours of continuing education in the area of hair dyeing or application of chemicals and/or coloring agents/products to hair. Said program of continuing education is subject to prior approval by the Connecticut Board of Examiners for Barbers, Hairdressers, and Cosmetologists. Upon the completion of said continuing education courses Kevin Hall shall demonstrate to the Board successful completion of said course(s) including dates and hours of attendance.
  - b. That during said one year probation Kevin Hall's work shall be supervised by a licensed hairdresser/cosmetologist approved by the Board and the Department of Health Services. Said designated supervisor shall submit monthly reports to the Connecticut Board of Examiners for Barbers, Hairdressers, and Cosmetologist evaluating Kevin Hall's work in the areas of (1) hair coloring (2) hair dyeing, (3) application of chemicals and coloring agents/products, and (4) the use of permanent weave records or course of hair treatment records.
  - c. That he will pay for any and all costs associated with the terms of this Consent Order.

- d. All present and future employers shall be informed of the terms of this Consent Order and he will inform the Department of Health Services of any change in his employment.
    - e. That violation of the conditions as set forth in paragraphs 2.(a) through 2.(d), inclusive, will result in summary suspension of his license by the Department of Health Services.
  - 5. The Department presented two credible documents sent to the Respondent indicating the above requirement of successful demonstration of the continuing education course(s) had not been met. (Dept. Ex. 4 and 5)
  - 6. The Respondent gave conflicting testimony that he had not found classes (Tr. 3/27/89 p. 21) and then that he had participated in such classes. (Tr. 3/27/89 p. 22-23)
- However, the Respondent did not provide demonstration of successful completion of any course. (Tr. 3/27/89 p. 19-27)
- 7. The Board finds that the Respondent failed to demonstrate that he had successfully completed any continuing education course(s) as he was required to do pursuant to the above cited Consent Order and as alleged in the Statement of Charges.

DISCUSSION AND CONCLUSIONS OF LAW:

The Board finds that Kevin Hall's conduct as found above is a violation of the requirements of the Consent Order.

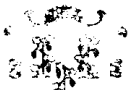
ORDER

Pursuant to its authority to enforce the original Consent Order and under the Connecticut General Statutes §19a-17 and §20-263 the Board of Barbers, Hairdressers and Cosmeticians hereby lifts the stay on the one year suspension of the hairdressers's and cosmetician's license of Kevin Hall and reinstates the suspension as provided in the Consent Order.

9/30/91  
DATE

Ralph Cobuzzi  
By: Ralph Cobuzzi, Chairman  
CT Examining Board for Barbers,  
Hairdressers & Cosmeticians

6529Q/ha



STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES

Rec'd  
10-15-92  
JB

15 October 1992

att: mjb  
Pl. Process

Kevin Hall  
12 Briarwood Drive  
Quaker Hill, Ct 06375

Re: Petition No. 881013-20-026

Dear Mr. Hall:

Your eligibility for reinstatement from suspension to probation of your Connecticut Hairdressing and Cosmetology license became effective 1 October 1992.

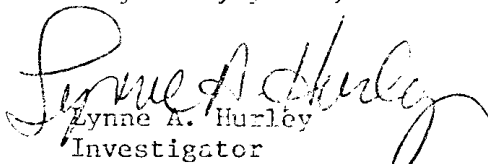
Your original license number will be reassigned to you, and issued following routine processing by the Department of Health Services.

Renewal of your license is required, by law, annually during the month of your birth following the date of this letter. If the license is not renewed within ninety (90) days of the due date, it will become automatically void. This means that future reinstatement will require re-application.

State law requires you to notify this office within thirty (30) days of ANY change of address whether in or out of state.

Thank you for your anticipated cooperation.

Very truly yours,

  
Lynne A. Hurlley  
Investigator  
Public Health Hearing Office

LAH:cja  
7468Q/12  
10/92

cc: David J. Pavis, Chief, PHHO  
John Boccacio, Chief, L&E  
Joseph Gillen, Chief, APEX